

73049-407

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

OFFICE OF CHEMICAL SAFETY  
AND POLLUTION PREVENTION

Thomas Bade, Ph.D.  
Regulatory Manager  
Valent Biosciences  
870 Technology Way  
Libertyville, IL 60048

MAY 02 2013

Subject: Label Amendment to Add Application to Non-Bearing Fruit Trees  
Product Name: MaxCel®  
EPA Reg. No: 73049-407  
Your Submission Dated April 25, 2013

Dear Dr. Bade:

The amendment referred to above, submitted in connection with registration under FIFRA section 3(c)(5), is acceptable provided that you:

1. Submit and/or cite all data required for registration/re-registration of your product under FIFRA section 3(c)(5) when the Agency requires all registrants of similar products to submit such data.
2. Submit five (5) copies of your final printed labeling before you release the product for shipment. Final printed labeling means the label or labeling of the product when distributed or sold. Clearly legible reproductions or photo reductions will be accepted for unusual labels, such as those silk-screened directly onto glass or metal containers or large bags or drum labels.

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6(e). Your release for shipment of the product bearing the amended labeling constitutes acceptance of these conditions. Should you have any questions regarding this action, you may contact Gina Burnett at (703) 605-0513 or via email at [burnett.gina@epa.gov](mailto:burnett.gina@epa.gov). A stamped copy of the label is enclosed for your records.

Sincerely,

Linda A. Hollis, Chief  
Biochemical Pesticides Branch  
Biopesticides and Pollution  
Prevention Division (7511P)

CONCURRENCES							
SYMBOL	▶ 7511P						
SURNAME	▶ Burnett						
DATE	▶ 5/6/2013						



<b>FIRST AID</b>	
If in eyes	<ul style="list-style-type: none"> <li>◦ Hold eye open and rinse slowly and gently with water for 15-20 minutes.</li> <li>◦ Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.</li> <li>◦ Call a poison control center or doctor for treatment advice.</li> </ul>
<b>HOT LINE NUMBER</b>	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. For medical emergencies, you may also call toll-free 1-800-892-0099 for treatment information.	

**PRECAUTIONARY STATEMENTS  
HAZARDS TO HUMANS AND DOMESTIC ANIMALS  
CAUTION**

Causes moderate eye irritation. Avoid contact with eyes or clothing. Wash thoroughly with soap and water after handling.

**Personal Protective Equipment (PPE)**

Some materials that are chemical-resistant to this product are listed below. If you want more options, follow the instructions for category C on an EPA chemical resistance category selection chart.

Applicators and other handlers for apple and pear uses must wear:

- Long sleeved shirt and long pants
- Chemical-resistant gloves (such as barrier laminate; butyl, nitrile or neo-prene rubber; polyvinyl chloride or viton).
- Shoes plus socks

Applicators and other handlers for pistachio uses must wear:

- Long sleeved shirt and long pants
- Shoes plus socks

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

**User Safety Recommendations**

- Users should:
- Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.
  - Remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
  - Remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

**Environmental Hazards**

Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Do not contaminate water when disposing of equipment washwater or rinsate.

**DIRECTIONS FOR USE**

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application.

For any requirements specific to your State or Tribe, consult the State/Tribal agency responsible for pesticide regulation.

**AGRICULTURAL USE REQUIREMENTS**

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR part 170. This Standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE), and restricted-entry interval. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

Do not enter or allow worker entry into treated areas during the restricted entry interval (REI) of 12 hours.

PPE required for early entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil, or water, is:

- Coveralls
- For apple and pear uses: Chemical-resistant gloves (such as barrier laminate; butyl, nitrile or neo-prene rubber; polyvinyl chloride or viton)
- For pistachio uses: Chemical-resistant gloves made of any waterproof material
- Shoes plus socks



APPLE

USE	Application Rate	Product/Acre	Application method and timing
For enhancement of fruit size	Apply 10 to 50 ppm spray concentration (refer to the dilution table for assistance).	Do not exceed a total of 308 fluid ounces of product per acre	Make 2-4 applications, starting at petal fall, and continuing at 3-10 day intervals.

**Additional Instructions:**

- Direct 80% of the spray into the upper 2/3<sup>rd</sup> of the tree canopy.
- Applications will be most effective when the maximum temperature is above 65° F on the day of application, and the following 2-3 days.
- Use sufficient volume to ensure complete tree coverage.
- **Do not apply within 86 days of harvest.**

**NOTE:** This use may cause fruit thinning in some easy to thin varieties, and/or under conditions favorable for thinning.

APPLE and PEAR

USE	Application Rate	Product/Acre	Application method and timing
For fruit thinning, sizing, and enhanced return bloom	Apply 75 to 200 ppm spray concentration (refer to the dilution table for assistance).	Do not exceed a total of 308 fluid ounces of product per acre	Apply when the average diameter of king fruitlets is between 5-15 mm. 10 mm is optimal.  Do not apply more than twice in a season.

**Additional Instructions:**

- Direct 80% of the spray into the upper 2/3<sup>rd</sup> of the tree canopy.
- Applications will be most effective when the maximum temperature is above 65° F on the day of application, and the following 2-3 days.
- Use higher rates in orchards that have a history of being difficult to thin, in varieties known to be difficult to thin, and in cool weather situations.
- Use sufficient volume to ensure complete tree coverage.
- **Do not exceed a total of 308 fluid ounces of product (182 grams of 6BA) per acre per season for all uses** (For enhancement of fruit size, fruit thinning, sizing, and enhanced return bloom).
- **Do not apply within 86 days of harvest.**

**NOTE:** Generally, only one application is sufficient for fruit thinning. If a second application is desired to obtain additional thinning:

1. Allow 7-10 days to observe the effect of the first application.
2. Spray the second application before the average diameter of king fruitlets exceeds 20 mm.

**NON BEARING TREES  
(SUCH AS APPLES, PEARS AND SWEET CHERRY)  
FOLIAR APPLICATION**

USE	Application Rate: Concentration of a.i. in ppm	Product/Acre	Application method and timing
For increased branching of nursery stock and young trees, to improve branch angles, stimulate bud break and improve tree structure.	250-500 ppm spray concentration (refer to the dilution table for assistance).	128 oz/40 gal of water	Make the first of 3 to 4 applications at 28-30 inches of growth and continue on a 5-10 day schedule.

**Additional Instructions:**

- Do not use on trees with fruit intended for harvest.
- Use is not restricted to just the nursery location, but can also be used on young non-bearing trees planted in an orchard.
- Use a backpack sprayer with a single nozzle directed to the shoot tips of each tree.
- Timing of the second to fourth sprays should be when the leader adds five inches of new growth after the last spray (about every 7-10 days).
- Best results are obtained when applied in the morning when temperatures are cooler. Avoid spraying in the afternoon if temperatures are 90 degrees or more.
- Do not tank mix with streptomycin or apply streptomycin on the same day.

**LATEX APPLICATION**

USE	Application Rate: Concentration of a.i. in ppm	Product/Acre	Application method and timing
Apples (Nursery and Young Orchard)  For increasing lateral bud break and shoot growth, improve branch angles, and provide a better tree framework for early cropping.	5,000 to 7,500 ppm (0.2-0.33 pint MaxCel per pint of latex paint)	Do not apply more than 320 oz of MaxCel (20 pints) per acre per season	Apply in the spring when terminal buds begin to swell but before shoots emerge. At the point where branching is desired, uniformly apply the MaxCel - latex paint mixture with a brush or sponge to cover the bark surface thoroughly. Apply only to one year old wood.

**NOTE:** Do not apply the MaxCel – latex paint mixture after bud break. Applications after buds have broken have been known to cause some injury to the tender shoot tips and fail to promote shoot growth from that point.

**NOTE:** Any type of application of MaxCel to non-bearing pears and non-bearing sweet cherries has a one year pre harvest interval.

**PISTACHIO**

USE	Application Rate	Product/Acre	Application method and timing
To increase yield, and reduce alternate bearing	Apply 25-50 ppm spray concentration (refer to the dilution table for assistance).	Do not exceed 50 fluid ounces of product per acre per application.	Always make two applications: 1st: Early-to-mid June 2nd: Early-to-mid July

**Additional Instructions:**

- Apply in a tank mix with low biuret urea foliar nutritional spray at the rate of 6.25 - 12.5 lbs nitrogen per acre at both spray timings.
- Use sufficient volume to ensure complete tree coverage.
- **Do not exceed 50 fluid ounces of product per acre per application.**
- **Do not apply within 60 days of harvest.**

**MaxCel Dilution Table**

Fluid ounces of MaxCel per 100 gallons of spray required to obtain given ppm concentration

10 ppm	25 ppm	50 ppm	75 ppm	100 ppm	125 ppm	150 ppm	175 ppm	200 ppm
6	16	32	48	64	80	96	112	128

Note: MaxCel contains 75 grams active ingredient per 128 fluid ounces (one gallon).

**Compatibility With Other Agricultural Products**

Information on tank mix compatibility of MaxCel is limited at this time.

**STORAGE AND DISPOSAL**

Do not contaminate water, food, or feed by storage or disposal.

**PESTICIDE STORAGE:** Store product in a cool and dry place

**PESTICIDE DISPOSAL:** Wastes resulting from the use of this product must be disposed of on-site or at an approved waste disposal facility.

**CONTAINER DISPOSAL:** Nonrefillable container. Do not reuse or refill this container. Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container 1/4 full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. Offer for recycling if available. If recycling is not available puncture and dispose of the container in a sanitary landfill, or by other procedures approved by state and local authorities.